

MICHAEL E. MOSS 63408
HENRY Y. CHIU 222927
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Fresno, California 93704
Telephone: (559) 472-9922
Facsimile: (559) 472-9892

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA – FRESNO DIVISION

* * *

BOARD OF TRUSTEES OF IBEW
LOCAL UNION NO. 100 PENSION
TRUST FUND; IBEW LOCAL UNION
NO. 100 HEALTH AND WELFARE
TRUST FUND; JOINT ELECTRICAL
INDUSTRY TRAINING TRUST FUND;
NECA-IBEW NATIONAL LABOR
MANAGEMENT COOPERATION FUND;
LABOR-MANAGEMENT
COOPERATION FUND; IBEW LOCAL
UNION NO. 100 VACATION FUND;
NATIONAL ELECTRICAL BENEFIT
FUND; BOARD OF TRUSTEES OF IBEW
DISTRICT NO. 9 PENSION PLAN TRUST
FUND;

Plaintiffs,

v.

SOUTH VALLEY ELECTRIC; RANDY
COHEA, aka RANDY LEE COHEA,
individually and doing business as South
Valley Electric,

Defendants.

Case No.: CVF02-5965

**DECLARATION OF HENRY Y. CHIU
IN SUPPORT OF CALCULATED
INTEREST, FEES AND COSTS
INCURRED**

I, HENRY Y. CHIU, declare as follows:

1. I am an attorney duly licensed to practice law in the State of California, and duly

1 admitted to practice in the United States District Court for the Eastern District of California. I
 2 am a member of the law firm of Moss, Tucker, Chiu, Hebesha & Ward, attorneys of record for
 3 Plaintiffs in the present action. The following facts are of my own personal knowledge and/or
 4 information and belief and if called upon to testify, I would and could competently testify
 5 thereto.

6 2. Pursuant to the Judgment in a Civil Action filed May 30, 2003, Plaintiffs are
 7 entitled to post-judgment attorney fees and costs as well as accrued interest. The following are
 8 the amounts accrued since date of judgment through the date of judgment renewal:

9 Post-judgment Interest Accrued to 12/31/12:

10	5/30/03 to 12/31/03	\$ 62.64
11	1/1/04 to 12/31/04	\$ 106.86
	1/1/05 to 12/31/05	\$ 108.07
12	1/1/06 to 12/31/06	\$ 109.50
	1/1/07 to 12/31/07	\$ 110.53
13	1/1/08 to 12/31/08	\$ 111.78
	1/1/09 to 12/31/09	\$ 113.15
14	1/1/10 to 12/31/10	\$ 114.32
	1/1/11 to 12/31/11	\$ 115.61
15	1/1/12 to 12/31/12	\$ 116.80

16 (1.13% compounded annually)

17 **TOTAL INTEREST** \$ 1,069.26

18 Post-judgment attorney fees:

19	September 3, 2003	\$2,132.50
20	November 30, 2003	\$ 58.50
	January 31, 2004	\$ 434.50
21	February 29, 2004	\$ 167.50
	May 25, 2012	\$ 424.00
22	December 1, 2012	\$ 290.00
	January 3, 2013	\$ 248.00

23 (See Exhibit A attached hereto) \$ 3,755.00

24 Costs:

25	Kings County Recorder	
	Record abstract	\$ 19.00
26	Secretary of State (2004)	\$ 10.00
27	Secretary of State (2009)	\$ 10.00
		<u>\$ 39.00</u>

28 **TOTAL FEES AND COSTS** \$ 3,794.00

1 2. During the period from the entry of judgment on May 30, 2003 through the
2 judgment application, the Plaintiff's attorney changed firms. Exhibit A consists of monthly
3 billing printouts for the instant matter from September 3, 2003 through February 29, 2004 from
4 the law offices of Kimble, MacMichael & Upton. (The document has been redacted to avoid
5 disclosure of other billing matters.) No further attorney fees were incurred in this case until
6 February 21, 2012, when Plaintiffs employed the firm of Moss, Tucker, Chiu, Hebesha & Ward
7 PC ("Moss Tucker"). Exhibit A also includes billing statements from Moss Tucker reflecting the
8 balance of the attorney fees incurred. Included in the Moss Tucker billing is work performed
9 which related to a possible payoff of the judgment as well as the judgment renewal.

10 I declare under penalty of perjury under the laws of the State of California that the
11 foregoing is true and correct. Executed this 2 day of January, 2013, at Fresno, California.

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14 HENRY Y. CHIU

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24
25 6178.33.pldg.southvalley-declaration
26
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28

EXHIBIT “A”

TR7503 5/02/06
SHELLY 14:05:45

CLIENT ACCOUNT HISTORY

PAGE 2

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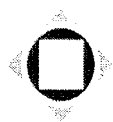
DATE	ACTION	AMOUNT	FEES	COSTS	EXPENSES	A/R BALANCE	R/R BALANCE	U/R BALANCE
9/03/03 Bill	33 SOUTH VALLEY ELECTRIC #2	2,151.82	2,132.50	19.32		7,313.80		
11/30/03 Bill	33 SOUTH VALLEY ELECTRIC #2	58.50	58.50			2,779.43		

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DATE	ACTION	AMOUNT	FEEs	COSTs	EXPENSEs	A/R BALANCE	R/R BALANCE	U/R BALANCE
1/31/04 Bill	33 SOUTH VALLEY ELECTRIC #2	434.50	434.50					
2/29/04 Bill	33 SOUTH VALLEY ELECTRIC #2	170.22	199.22	167.50	2.72	297.00		5,605.40

FROM 2/21/12 THRU 5/25/12

CLIENT/ MATTER	N A M E / DESCRIPTION	T.K.	DATE	HOURS	VALUE AT RATE	VALUE AT STANDARD	TASK	ACT. DATE	BILL DATE	BILL AMOUNT
6178 IBEW LOCAL UNION #100 TRUST FUNDS 33 SOUTH VALLEY ELECTRIC (#2)										
		HYC	2/21/12	.20	48.00	48.00			3/01/12	48.00
							Email exchange with Micah Wuhl, Mike Moss and Laura Brandon regarding judgment lien, etc.			
		LJB	2/21/12	.60	60.00	60.00			3/01/12	60.00
							Review file and calculate principal and interest to date.			
		HYC	4/11/12	.30	72.00	72.00			5/01/12	72.00
							Email exchange with Sandi Moore regarding contribution periods, etc.; review of available file information			
		HYC	4/26/12	.20	48.00	48.00			5/01/12	48.00
							Email exchange with Sandi Moore and Mike Moss regarding judgment; review underlying documents; conference with Laura Brandon regarding same			
		LJB	4/26/12	.20	20.00	20.00			5/01/12	20.00
							Review file; conference with Henry Chiu and draft email to title company regarding demand.			
		MEM	4/26/12	.20	68.00	68.00			5/01/12	68.00
							Emails with Laura Brandon			
		LJB	5/14/12	.10	10.00	10.00			6/01/12	10.00
							Draft email to title company regarding demand request.			
		HYC	5/25/12	.20	48.00	48.00			6/01/12	48.00
							Review South Valley correspondences; conference with Laura Brandon regarding same			
		LJB	5/25/12	.50	50.00	50.00			6/01/12	50.00
							Draft email to title company regarding status of pending escrow; recalculate and update demand amount.			
MATTER TOTAL				2.50	424.00	424.00				
FIRM TOTAL				2.50	424.00	424.00				



MOSS
TUCKER

ATTORNEYS AT LAW

5260 N. Palm Ave. Suite 205 Fresno, CA 93704

December 1, 2012

ATTN: SANDI MOORE
IBEW LOCAL UNION #100 TRUST FUNDS
C/O BENEFIT ADMINISTRATION CORP.
955 N STREET
FRESNO CA 93721-2216

6178-33 MEM

STATEMENT FOR PERIOD THROUGH 11/30/12

LEGAL SERVICES REGARDING SOUTH VALLEY ELECTRIC (#2)

11/09/12 Calculate interest to renew judgment and prepare application for renewal and notice of renewal	LJB	.80
11/12/12 Draft declaration regarding recoverable fees and costs for judgment renewal.	LJB	1.50
Continue declraation.	LJB	.30
Continue draft of declaration regarding fees and costs accrued.	LJB	.30

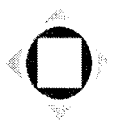
TIMEKEEPER	TIME	RATE	VALUE
Laura Brandon	2.90	100.00	290.00

TOTAL FEES \$290.00

PLEASE PAY THIS AMOUNT \$290.00

ANY PAYMENTS RECEIVED AFTER December 1, 2012
WILL APPEAR ON YOUR NEXT STATEMENT

Please include account number on remittance.
T 559.472.9922 | F 559.472.9892



MOSS
TUCKER

ATTORNEYS AT LAW

5260 N. Palm Ave. Suite 205 Fresno, CA 93704

January 4, 2013

ATTN: SANDI MOORE
IBEW LOCAL UNION #100 TRUST FUNDS
C/O BENEFIT ADMINISTRATION COR
955 N STREET
FRESNO CA 93721-2216

6178- 33 MEM

STATEMENT FOR PERIOD THROUGH 1/04/13

LEGAL SERVICES REGARDING SOUTH VALLEY ELECTRIC (#2)

1/02/13 Review of judgment renewal documents	HYC	.20
1/02/13 Revise judgment renewal and draft proposed order.	LJB	1.50
1/03/13 Prepare designation of counsel.	LJB	.30
1/03/13 Continue revision of judgment renewal documents.	LJB	.20

<u>TIMEKEEPER</u>	<u>TIME</u>	<u>RATE</u>	<u>VALUE</u>
Laura Brandon	2.00	100.00	200.00
Henry Chiu	.20	240.00	48.00

TOTAL FEES

\$248.00